

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

DAVID GILBERT SAFFRON, ET AL.,

Defendants.

Case No. 2:19-cv-01697-JAD-DJA

ORDER

This matter is before the Court on Gutke Law Group's Motion to Withdraw as Counsel for Defendants (ECF No. 108), filed on March 22, 2021. Pursuant to Local Rule ("LR") IA 11-6, "[n]o attorney may withdraw after appearing in a case except by leave of Court after notice has been served on the affected client and opposing counsel." See LR IA 11-6(b). Having reviewed the motion, the Court finds that requirements of LR IA 11-6(b) have been met. Mr. Gutke indicates that Defendants Circle Society Corp. and Gilbert Saffron have been unable to meet their financial obligations and a breakdown in the attorney-client relationship has occurred. The Court will require that Defendant Circle Society Corp. advise the Court if it will retain new counsel by April 13, 2021 as it must retain new counsel if it intends to continue to litigate this matter. See *United States v. High Country Broad.*, 3 F.3d 1244, 1245 (9th Cir. 1993) (per curiam); *In re Am. W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994) (stating that "[c]orporations and other unincorporated associations must appear in court through an attorney."). Similarly, Defendant Gilbert Saffron must notify the Court if he will proceed pro se or retain new counsel by the same date. Filing a notice of new counsel on or before April 13, 2021 is sufficient to comply with the Court's order. Failure to respond may result in a recommendation to the United States District

1 Judge assigned to this case that dispositive sanctions be issued against Defendants Circle Society
2 Corp. and Saffron including dismissal of this action.

3 **IT IS HEREBY ORDERED** that Gutke Law Group's Motion to Withdraw as Counsel
4 for Defendants (ECF No. 108) is **granted**.

5 **IT IS FURTHER ORDERED** that Defendants Circle Society Corp. and Gilbert Saffron
6 shall have until **April 13, 2021** to advise the Court if they will retain new counsel. Failure to
7 notify the Court as to their new representation may subject them to dispositive sanctions,
8 including a recommendation for dismissal of this action.

9 **IT IS FURTHER ORDERED** that the Gutke Law Group shall serve a copy of this order
10 on Defendants Circle Society Corp. and Gilbert Saffron and file a notice of completion of service
11 along with a notice of the defendants last known address by **March 30, 2021**.

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13 DATED: March 23, 2021



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15 DANIEL J. ALBREGTS
16 UNITED STATES MAGISTRATE JUDGE
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